

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO  
TITLE III-PROMESA-COURT**

In re:

**The Financial Oversight and Management  
Board For Puerto Rico,  
as representative of  
The Commonwealth of Puerto Rico, *et al.*,  
Debtors**

**Title III-PROMESA: # 17 BK 3283-LTS**

Re: ECF Nos. 19525, 19869

US District Court of PR-# **3:20 -cv-01360-FAB**  
-Violation of Civil Rights -42 USC SECTION 1983  
Civil action for Deprivation of Rights

US COURT OF APPEAL-FIRST CIRCUIT #21-1472

**JUAN MANUEL CRUZADO-LAUREANO**

**Movant**

*-against-*

**The Financial Oversight and Management  
Board for Puerto Rico, as representative of  
The Commonwealth of Puerto Rico  
Respondent**

**MOTION NOTIFYNG THE REQUEST FOR ASSISTANCE TO THE FIRST CIRCUIT  
DUE TO THE REFUSAL OF THIS COURT TO ANSWER THE QUERRY REQUESTED IN  
THE CASE OF TITLE III- PROMESA : #17 BK 3283-LTS AGAINST THE FINANCIAL  
OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO.**

**To the Honorable United States District Court Judge Laura Taylor Swain:**

Appears before this Honorable **TITLE III COURT OF PROMESA**, Juan Manuel Cruzado-Laureano- *the Movant-* exercising his right to legal self-representation (**PRO-SE**), Exhibits, Alleges and Request:

**INJUSTICE ANYWHERE IS A THREAT TO JUSTICE EVERYWHERE**

MARTIN LUTHER KING JR.

- 1- On February 7, 2022, the deadline established by this Honorable Court, *Movant* filed its final response to the brief prepared by the attorneys representing the *Financial Oversight and Management Board for Puerto Rico* in Case #17 BK 3283-LTS before this Court. At the time of filing this *Motion*, two months have already passed since the undersigned requested this Honorable Court that it expeditiously attend to the consultation required in the Case #17 BK 3283-LTS filed on February 7, 2022. More than 7 months have passed since the parties submitted all the final arguments and this Honorable Court has still not issued the opinion requested by the Panel of the First Circuit of Appeals on the application or not of the *automatic stay* of **PROMESA** to the lawsuit filed by *Movant* in the District Court of the US of PR #3:20-cv-01360-FAB.
- 2- In the *Motion* filed before this Court on July 13, 2022, expedited attention to the consultation recommended by the First Circuit is requested and information is given of what happened before the Supreme Court with the Certiorari #21-6910 filed by the Undersigned. In said case of Certiorari #21-6910 before the Supreme Court, the Federal Department of Justice, through the voice of *Solicitor General Elizabeth B. Prelogar*, establishes a precedent in a criminal case before that forum by waiving to answer it. With the waiver of the response to Certiorari #21-6910, the Department of Justice recognizes as true all allegations of law and the events that occurred that were included in said *Certiorari*. In the Certiorari #21-6910, the Undersigned claims to the Supreme Court that he was the victim of a *Lawfare Case* orchestrated and executed in the period from 2001 to 2007 originated by the Office of the US Attorney of PR, which had the collaboration of judges and federal magistrates of District of PR and with the open and complicit collaboration of the Comptroller's Office of the Commonwealth of PR.



- 3- The *Lawfare Case* against the Subscriber that was personally orchestrated by the US Attorney of PR Guillermo Gil Bonar in the years 2001-2002, had the political purpose of helping with the battered image of the Partido Nuevo Progresista (PNP) as corrupt and looter of public funds in the General Elections of 2004. The PNP since the 90's of the last century has been in control of the appointments of the Judiciary and Federal Prosecutor in PR. By that date the PNP had over 40 elected or appointed officials who were convicted of public corruption. Guillermo Gil Bonar, the district judges and the Office of the Comptroller of PR, agreed to fabricate a case of corruption against a member of the Partido Popular Democrático (PPD) and keep him imprisoned until after the 2004 General Elections. Having the undersigned imprisoned for the General Elections of 2004, the Lawfare planners against him were able to establish as a campaign slogan what they still repeat: *The reds and blues are equally corrupt.*
- 4- There is not precedent in the Federal Judiciary on a *lawfare case* like the one perpetrated against the movant. The *Lawfare's Case* against *Movant* became a reality and its legal and political validity was sustained thanks to the complicity and collaboration of the Comptroller's Office once *Movant* was convicted and imprisoned on June 7, 2002, for alleged acts of public corruption in the VA Municipality. The exculpatory *Audit Report M-06-12 of 11-25-05* produced by the Comptroller's Office in the first days of May, 2002, which covered the first 10 months of the year 2001 when the *Movant* was Mayor of Vega Alta, was never published and a copy was never sent to him, mail to the prison where *Movant* was held from June 7, 2002 until January 2007, nor after serving 3 years of supervised release that lasted until January 2010. Comptroller Manuel Díaz Saldaña hid the *Audit Report M-06-12* produced by his Office and never published it so that the Subscriber could not use it as exculpatory evidence to request his release from the 63 months in prison he had to serve for some crimes that never occurred in the Municipality of VA. Public corruption crimes fabricated by the Office of the US Attorney of PR and magistrates and judges of the Federal District Court of PR.

5- We respectfully point out to the Honorable Court that the PROMESA Law is clear and establishes that only Debtors will be covered under the *Automatic Stay* of said Law. According to the division of powers established in the Constitution of the Commonwealth of PR, the Comptroller's Office is part of the Legislative Power. The bankruptcy filed by the Government of the Commonwealth of PR (Primary Government) under Title III of the Federal PROMESA Act, was filed through the Financial Oversight and Management Board of PR (The BOARD). The BOARD at its meeting of September 30, 2016, determined to submit under the bankruptcy of the Primary Government to 63 entities (Executive Power) and any subsidiary of these. In the 63 entities covered by PROMESA's automatic Stay, *the Office of the PR Comptroller is not included.*

6- The frivolous allegation imposed by the First Circuit Panel led by Presiding Judge Howard to this Honorable Court: *To assess whether the automatic stay of the Promesa Law applies or not to a civil lawsuit against the Office of the Comptroller of PR*, does not arose in the discussion of the lawsuit in the trial Court, nor from any of the Defendant's allegations in his answer before the First Circuit. This frivolous allegation that this Court has to evaluate arises from the animosity of Presiding Judge Howard against *Movant*, for having filed in mid-2019 two complaints for Judicial-Misconduct before the Office of the Circuit Executive, against two district judges of PR that validated the illegal Indictment 01-690(JAG) of 10-24-2001 which was used to prosecute and incarcerated the *Movant* for crimes of public corruption that never occurred. When Chief Justice Howard dismissed the complaints against Judge Jay García and Magistrate(at the time) Gustavo A. Gelpí as frivolous, He never imagined that on January 26, 2022 , the Federal Department of Justice,



through the voice of Solicitor General Elizabeth B. Prelogar, would vindicate the complaints that Chief Justice Howard classified as frivolous, by refusing to answer Certiorari #21-6910, where *Lawfare Case* is denounced in which these two judges played a leading role.

- 7- The “far-fetched” discussion by the attorneys of the New Progressive Party (PNP) Government frivolously alleging that the *Stay* of Title III of PROMESA is applicable to a government agency that was not included by The BOARD at the time of submitting the bankruptcy of the Government of PR in the 2017, nor in any subsequent amendment to said filing, is part of a political plan of the PNP. With this plan, the PNP seeks to defeat in this Court the demand for justice in the face of the vile and criminal acts perpetrated against *Movant* by the former Comptroller of PR, Manuel Díaz Saldaña, who unconditionally put the Office of the Comptroller of PR at the service of the political strategies of the PNP for the General Elections of 2004.
- 8- In the Motion filed on July 14, 2022, expedited attention was requested from this Honorable Court to issue its opinion on the position expressed so far by the First Circuit Panel on the alleged jurisdiction of the *Automatic Stay* of Title III of PROMESA to Lawsuit #20-01360. Although *Movant* requested an Argumentative Hearing, we are hereby withdrawing the request so as not to add more waiting time to the opinion of this Court on the alleged jurisdiction of the *automatic stay* of PROMESA to Lawsuit 20-01360 against the Office of the Comptroller of PR. We very respectfully state to this Honorable Court that sufficient time has passed for it to have issued its opinion on the matter raised by the First Circuit Panel led by Presiding Judge Howard. As previously mentioned, this frivolous claim about the jurisdiction of

PROMESA's *automatic stay* in the civil lawsuit against the Comptroller's Office does arise not from the parties to the lawsuit. It is an allegation fabricated by the First Circuit Panel that heard the appeal filed by *Movant* and that was imposed by said Panel having only the opposing opinion of the Appellant, since the Appellee did not respond to the Panel's request to issue its opinion on the alleged *automatic stay* on the lawsuit filed.

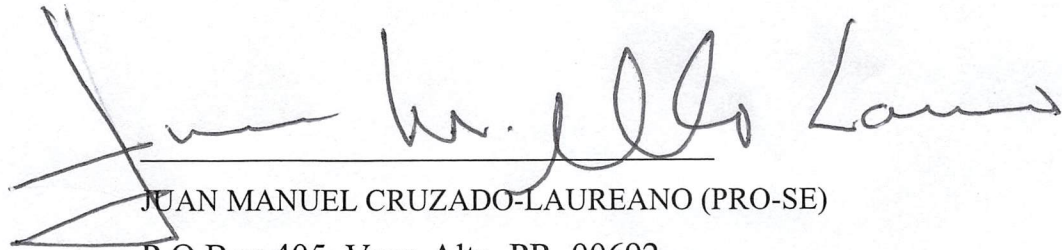
- 9- When the First Circuit Panel suggested to the Appellant that he seek the opinion of this Honorable Court on their decision regarding the automatic stay on the filed lawsuit, it also imposed that they be informed every three months about the progress of the requested consultation. At the beginning of October 2022, the filing of the third status report of the request for consultation with the Court expires. If no response has been received from this Court to this second request for a decision to be made, by the date of filing of the third status report in the first days of October 2022, Movant will be requesting the Panel of the First Circuit to re-evaluate your position on the automatic stay on the lawsuit filed, without the opinion of this Honorable Court.

If this Court, which has had enough time to make an evaluation of the erroneous opinion of the First Circuit Panel on the jurisdiction of the *automatic stay* of **PROMESA** in the lawsuit filed against the Comptroller's Office, does not want to do so, Movant will not continue to insist in which this Court does so. If perhaps the Panel of the First Circuit understands that they cannot make a reevaluation of their position on the automatic stay in the lawsuit against the Comptroller's Office, without the opinion of this Honorable Court, they should be the ones who required the opinion of this Court on the matter and not the Appellant.



**For all of the foregoing** this Honorable Court is very respectfully requested to attend to the case urgently, demonstrating with that attention that in this Chamber created by the PROMESA Law, all claims for justice are heard even when they are made PRO-SE.

**VERY RESPECTFULLY SUBMITTED,** today September 22, 2022, in Vega Alta, PR:

A handwritten signature in dark ink, appearing to read 'Juan Manuel Cruzado-Laureano', is written over a horizontal line. To the left of the signature, there is a large, stylized 'X' mark.

JUAN MANUEL CRUZADO-LAUREANO (PRO-SE)

P O Box 405, Vega Alta, PR 00692

Tel- (787) 371-4373

**Proof of Service:**

We hereby certified that on the same day that the **“MOTION NOTIFYNG THE REQUEST FOR ASSISTANCE TO THE FIRST CIRCUIT DUE TO THE REFUSAL OF THIS COURT TO ANSWER THE QUERRY REQUESTED IN THE CASE OF TITLE III- PROMESA : #17 BK 3283-LTS AGAINST THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO.”** was filed on the Clerk’s Office of the Federal District Court of PR, it was mailed to BUFETE MARINI PIETRANTONI MUÑIZ LLC, whose address on record in the documents is : Carolina Velaz-Rivero, 250 Ponce de Leon Ave., Suite 900 San Juan PR 00918.